

REMARKS

Claims 4, 6-15, 21-30, and 38-46 were pending as of the action mailed on September 27, 2007. This is a Supplemental Amendment in reply to the non-final Office Action mailed September 27, 2007. A reply to the non-final Office Action mailed September 27, 2007, was originally submitted on December 27, 2007.

The specification has been amended adding two paragraphs. Support for the amendment to the specification can be found within the applicant's claims 16 and 31, as originally filed.

Claims 14, 29, and 38 are being amended. No claims are being cancelled. Claims 47-93 have been newly added. No new matter has been added. Support for the amendments to claims 14, 29, and 38 and new claims 47-70 can be found within the applicant's specification at least at page 2, lines 21-28; page 3, lines 3-26; and page 10, lines 17-25.

New claims 71-76 are system claims corresponding to method claims 6, 4, and 10-13. New claims 77-83 are system claims corresponding to method claims 7-9 and 40-43. New claims 84-93 are system claims corresponding to method claims 14-15, and 47-54.

Reconsideration of the action is respectfully requested in light of the foregoing amendments and the following remarks.

Allowable Subject Matter

In the Office Action mailed September 27, 2007, the examiner allowed claims 4, 6-13, and 40-43. The applicant thanks the examiner for the identification of allowable subject matter.

Interview Summary

The applicant thanks Examiner Yang for the courtesy of an in-person interview on January 23, 2008. The time spent with the applicant's representatives, Hans R. Troesch and Arrienne M. Lezak, was greatly appreciated. The applicant's representatives described an embodiment of the claimed invention to the examiner. The examiner made recommendations for amending the claims and for adding new claims. The claims have been amended in view of the examiner's recommendations.

Specification

The examiner objected to the specification for allegedly failing to provide proper support for the claimed subject matter. Specifically, the examiner objected to the language “computer readable medium” recited in claims 21, 22, 29, and 38, as “[lacking] antecedent basis in the specification” (page 2 of the Office Action mailed September 27, 2007). The applicant respectfully disagrees.

The applicant respectfully submits the specification indicates that “the invention includes a computer program product to accomplish the extraction and other aspects described above” (specification, p.2, lines 13-14).

Additionally, the specification as originally filed includes claims which recite “a computer program product, disposed in a computer readable medium, having instructions to cause a computer to:...” (Applicant’s specification, pages 14-17, Claims 16-39). The claims as filed in the original specification are part of the disclosure. Therefore, if an application as originally filed contains a claim disclosing material not disclosed in the remainder of the specification, the applicant may amend the specification to include the claimed subject matter. *See In re Benno*, 768 F.2d 1340, 226 USPQ 683 (Fed. Cir. 1985). The applicant has amended the specification to include the language from claims 16 and 31.

Additionally, the applicant respectfully submits that it is well known that computer program products are manufactured and distributed upon computer readable media. Moreover, the applicant respectfully submits that commonly known features (e.g., computer program products embedded upon computer readable media), do not need to be explicitly recited. Therefore, as the specification clearly supports computer program products, and as computer program products are well known to exist on computer readable media, the applicant submits that the specification provides proper antecedent basis for the “computer readable medium” language found in claims 21, 22, 29, and 38.

Withdrawal of the objection to the specification is therefore respectfully requested.

Section 101 Rejections

Claims 21-30, 38-39, and 44-46 were rejected under 35 U.S.C. § 101 as allegedly directed to non-statutory subject matter. In particular, the examiner asserted that independent

claims 21, 22, 29, and 38 and dependent claims 23-28, 30, 39, and 44-46 claim “a ‘computer program product’ which is effectively a computer program.” The applicant respectfully disagrees.

As noted above, the applicant respectfully submits that the specification, as amended clearly supports computer program products disposed in computer readable media. The applicant further submits that MPEP § 2106.01 clearly advises that “a claimed computer-readable medium encoded with a computer program is a computer element which defines structural and functional interrelationships between the computer program and the rest of the computer which permit the computer program's functionality to be realized, and is thus statutory. See Lowry, 32 F.3d at 1583-84, 32 USPQ2d at 1035.”

Claims 21, 22, and 29 recite “a computer program product, disposed in a computer readable medium”. Claim 38 recites “a computer program product having instructions stored in a computer readable medium”. Thus, the applicant submits that claims 21, 22, 29, and 38 recite statutory subject matter. Claims 23, 24, and 44-46 depend from claim 22. Claims 25-28 depend from claim 21. Claim 30 depends from claim 29 and claim 39 depends from claim 38. The dependent claims satisfy the requirements of 35 U.S.C. § 101 for at least the same reasons as their respective independent claims.

Withdrawal of the rejection under 35 U.S.C. § 101 is therefore respectfully requested.

Section 103 Rejections

Claims 14, 15, 29-30, and 38-39 were rejected under 35 U.S.C. § 103(a) as allegedly unpatentable over “Animating Direct Manipulation Interfaces”, November 14-17, 1995 (“Thomas”) in view of U.S. Patent No. 6,791,574 (“Hoch”).

Claim 14

To expedite prosecution, claim 14 has been amended to recite receiving a selection of one or more distortion components and receiving a selection of a first area of a first image. The first area of the first image relates to an area on a distortion grid and includes a first pre-existing distortion. The first pre-existing distortion includes one or more distortion components. Claim 14 additionally requires extracting the one or more selected distortion components from the first

pre-existing distortion and applying the one or more extracted distortion components to a second area of the first image and to a second image.

The applicant respectfully submits that neither Thomas nor Hoch, alone or in combination, teach or suggest each and every limitation as recited in amended claim 14.

The applicant respectfully submits that claim 14 is in condition for allowance.

Claims 29 and 38

Claims 29 and 38 include features corresponding to those of claim 14 and were rejected for the same reasons. Therefore, claims 29 and 38 are allowable for the same reasons as set forth above with respect to claim 14.

Remaining Claims

Claim 15 depends from independent claim 14 and is allowable for at least those reasons that apply to claim 14. Claim 30 depends from independent claim 29 and is allowable for at least those reasons that apply to claim 29. Claim 39 depends from independent claim 38 and is allowable for at least those reasons that apply to claim 38.

Withdrawal of the rejection under 35 U.S.C. § 103(a) is therefore respectfully requested.

New Claims 47-93

The applicant has added new claims 47-70 in accordance with the examiner's recommendations.

New claims 47, 50, 55, 58, 63, 66, 86, and 89 require that the second area of the first image (and the second image) includes a second pre-existing distortion with fewer distortion components than the first pre-existing distortion such that applying the one or more extracted distortion components to the second area of the first image (or to the second image) causes one or more additional distortion components to be added to the second pre-existing distortion.

New claims 48, 51, 56, 59, 64, 67, 87, and 90 require that the second area of the first image (and the second image) does not include a pre-existing distortion such that applying the one or more extracted distortion components to the second area of the first image (or to the second image) creates a distortion in the second area of the first image (or the second image).

New claims 49, 52, 57, 60, 65, 68, 88, and 91 require that the second area of the first image (and the second image) includes a second pre-existing distortion including with more distortion components than the first pre existing distortion such that applying the one or more extracted distortion components to the second area of the first image (or the second image) causes one or more distortion components to be subtracted from the second pre-existing distortion.

New claims 53, 61, 69, and 92 require that the user selects the area for the applying by the location of a virtual brush, and claims 54, 62, 70, and 93 require that the virtual brush is weighted.

Additionally, new system claims 71-76 correspond to, and are allowable for at least the same reasons as, allowed method claims 6, 4, and 10-13. New system claims 77-83 correspond to, and are allowable for at least the same reasons as, allowed method claims 7-9 and 40-43.

New system claims 84 and 85 are allowable for at least those reasons set forth above with respect to method claims 14 and 15, respectively.

The applicant respectfully submits that neither Thomas nor Hoch, alone or in combination, teach or suggest each and every claimed limitation as recited in new claims 47-93.

The applicant respectfully submits that new claims 47-93 are in condition for allowance.

Drawings

The applicant respectfully requests that the Examiner indicate that the drawing sheets 1-4 (FIGS. 1-4) filed on November 28, 2001, are acceptable.

Conclusion

The applicant respectfully requests that all pending claims be allowed.

By responding in the foregoing remarks only to particular positions taken by the examiner, the applicant does not acquiesce with other positions that have not been explicitly addressed. In addition, the applicant's selecting some particular arguments for the patentability of a claim should not be understood as implying that no other reasons for the patentability of that claim exist. Finally, the applicant's decision to amend or cancel any claim should not be

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understood as implying that the applicant agrees with any positions taken by the examiner with respect to that claim or other claims.

The fee in the amount of \$1,850.00 for additional claims is being paid concurrently herewith on the Electronic Filing System (EFS) by way of Deposit Account authorization.

Please apply any charges or credits to Deposit Account No. 06-1050.

Respectfully submitted,

Date: February 20, 2008

/Arrienne M. Lezak/

Arrienne M. Lezak

Reg. No. 51,943

Customer No.: 21876

Fish & Richardson P.C.

Telephone: (650) 839-5070

Facsimile: (650) 839-5071

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